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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID LEAPARD and IMF FINANCE SA on their own behalf and on behalf of all others similarly situated,

Plaintiffs,

v.

ALLEN T.Y. CHAN, DAVID J. HORSLEY, KAI KIT POON, BANC OF AMERICA SECURITIES LLC, CREDIT SUISSE SECURITIES (USA) LLC, SINO-FOREST CORPORATION, ERNST & YOUNG GLOBAL LIMITED, and ERNST & YOUNG LLP,

Defendants.

Case No. 1:12-cv-01726 (AT)

ORDER

Having considered the papers filed by counsel for Plaintiffs and counsel for Defendant Ernst & Young LLP ("E&Y") who, on December 16, 2013, jointly moved this Court to dismiss E&Y from this Action with prejudice based on the November 26, 2013 Order of the U.S. Bankruptcy Court for the Southern District of New York ("U.S. Bankruptcy Court") granting recognition and enforcement (the "E&Y Settlement Recognition Order") of the March 20, 2013 order of the Ontario Superior Court of Justice approving the settlement between Sino-Forest Corporation and Defendants Ernst & Young Global Limited and Ernst & Young LLP and the release of the Defendants Ernst & Young Global Limited and Ernst & Young LLP (the "E&Y Canada Settlement"), and for good cause shown, the Court hereby enters the following Order:

1. E&Y is dismissed from this Action with prejudice upon the satisfaction of all conditions to the E&Y Canada Settlement, including all provisions set forth in the E&Y Settlement Recognition Order;

2. Such dismissal of the claims against E&Y shall not take effect until the Ernst & Young Settlement Date (being the date all conditions precedent are satisfied) occurs as set forth in the E&Y Settlement Recognition Order;

3. In the event the Ernst & Young Settlement Date does not occur, or the E&Y Canada Settlement does not become final, the parties shall be restored to their respective positions as they existed prior to the entry of the order of dismissal, and without prejudice in any way to the parties respective positions as they existed prior to the date of this Order, and the Action shall be deemed to revert to its status as of the date and time immediately prior to the date of the E&Y Settlement; and

4. Plaintiffs and Defendant E&Y are to bear their respective costs of this proceeding.

IT IS SO ORDERED.

DATED: This 18 th day of December, 2013

ANALISA TORRES
United States District Judge